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JAN 25 2010	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 United States of America,

CR-98-00466-PHX-SMM

10 Plaintiff,

11 vs.

12 Armando Edward Garcia,

ORDER

13 Defendant.
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16 A detention hearing and a preliminary revocation hearing on the Petition on
17 Supervised Release were held on January 20, 2010.

18 **THE COURT FINDS** that the Defendant has knowingly, intelligently, and
19 voluntarily waived his right to a detention hearing and a preliminary revocation hearing and
20 has consented to the issue of detention being made based upon the allegations in the Petition.

21 **THE COURT FURTHER FINDS** that the Defendant has failed to sustain his burden
22 of proof by clear and convincing evidence pursuant to Rule 32.1(a)(6), FED.R.CRIM.P., that
23 he is neither a flight risk nor a danger to the community. *United States v. Loya*, 23 F.3d 1529
24 (9th Cir. 1994).
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IT IS ORDERED that the Defendant shall be detained pending further order of the court.

DATED this 25th day of January, 2010.


Lawrence O. Anderson
United States Magistrate Judge